

(C) June 21, 1996 letter from Robert C. Shinn, Jr., NJDEP, to Jeanne M. Fox, EPA, requesting EPA approval of Subchapter 16.

3. Section 52.1605 is amended by revising the entries for Subchapters 8, 16, 17, 23, and 25 under the heading "Title 7, Chapter 27" and Subchapter 3 under the heading "Title 7, Chapter 27B

to the table in numerical order to read as follows:

§ 52.1605 EPA-approved New Jersey regulations.

State regulation	State effective date	EPA approved date	Comments
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Title 7, Chapter 27			
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Subchapter 8, "Permits and Certificates, Hearings, and Confidentiality".	Apr. 5, 1985	Nov. 25, 1986, 51 FR 42573.	
Section 8.11	Mar. 2, 1992	Apr. 15, 1994, 59 FR 17935.	
Sections 8.1 and 8.2	June 20, 1994.	August 7, 1997 [FR page citation].	
* * * * *			
Subchapter 16, "Control and Prohibition of Air Pollution by Volatile Organic Compounds".	July 17, 1995.	August 7, 1997 [FR page citation].	Earlier versions of Subchapter 16 remain part of the SIP only to the extent of determining compliance dates which have since passed.
Subchapter 17, "Control and Prohibition of Air Pollution by Toxic Substances".	June 20, 1994.	August 7, 1997 [FR page citation].	Subchapter 17 is included in the SIP only as it relates to the control of perchloroethylene.
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Subchapter 23, "Prevention of Air Pollution from Architectural Coatings and Consumer Products".	June 20, 1994.	August 7, 1997 [FR page citation].	
* * * * *			
Subchapter 25, "Control and Prohibition of Air Pollution by Vehicular Fuels".	June 20, 1994.	August 7, 1997 [FR page citation].	Approves 1992 revision of Subchapter 25 except that (1) oxygenated gasoline provisions are approved only as they apply to the four month control period from November 1 through the last day in February, consistent with the February 21, 1995 NJDEP modification of N.J.A.C. 7:27-25; and (2) oxygenated gasoline provisions are approved only as they apply to the Northern New Jersey portion of the New York-Northern New Jersey-Long Island consolidated metropolitan statistical area.
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Title 7, Chapter 27B			
Subchapter 3, "Air Test Method 3: Sampling and Analytic Procedures for the Determination of Volatile Organic Compounds from Source Operations".	June 20, 1994.	August 7, 1997 [FR page citation].	

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-5869-3]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete Spokane Junkyard and Associated

Properties Site from the National Priorities List: Request for Comments.

SUMMARY: The Environmental Protection Agency (EPA) Region 10 announces its intent to delete the Spokane Junkyard and Associated Properties Site (the Site) from the National Priorities List (NPL) and requests public comment on this action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended. EPA and the

State of Washington Department of Ecology (Ecology) have determined that the Site poses no significant threat to public health and the environment and, therefore, all appropriate CERCLA actions have been implemented, and no further cleanup is appropriate.

DATES: Comments concerning this site may be submitted on or before September 8, 1997.

ADDRESSES: Comments may be mailed to: Kevin Rochlin, Office of Environmental Cleanup, U.S. Environmental Protection Agency, Region 10, 1200 6th Avenue, Mail Stop: ECL-111, Seattle, Washington 98101.

Comprehensive information on this site is available through the EPA Region 10 public docket, which is located at EPA's regional office and is available for public viewing by appointment from 9 a.m. to 4 p.m., Monday through Friday, excluding holidays. Requests for appointments to view the Regional public docket should be directed to: Superfund Records Center, EPA Region 10, 1200 6th Avenue, Seattle, Washington 98101.

Background information from the Regional public docket is also available for viewing at the Spokane Junkyard and Associated Properties Site information repository located at: Hillyard Branch Library, 4005 Cook Street, Spokane, Washington 99207.

FOR FURTHER INFORMATION CONTACT: Kevin Rochlin, Office of Environmental Cleanup, U.S. Environmental Protection Agency, Region 10, 1200 6th Avenue, Mail Stop: ECL-111, Seattle, Washington 98101, (206) 553-2106 or, (800) 424-4372.

SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. NPL Deletion Criteria
- III. Deletion Procedures
- IV. Basis for Intended Site Deletion

I. Introduction

The Environmental Protection Agency (EPA) Region 10 announces its intent to delete the Spokane Junkyard and Associated Properties Site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR part 300, and requests comments on this deletion. EPA identified sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of these sites. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for remedial action in the unlikely event that conditions at the site warrant such action.

EPA will accept comments on the proposal to delete this site from the NPL for 30 days after publication of this document in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses the procedures that EPA is using for this action. Section IV discusses the Spokane Junkyard and Associated Properties Site and explains how the Site meets the deletion criteria.

II. NPL Deletion Criteria

The NCP establishes the criteria that the Agency uses to delete sites from the NPL. In accordance with 40 CFR

300.66(c)(7), sites may be deleted from the NPL where no further response is appropriate. In making this determination, EPA will consider, in consultation with the State, whether any of the following criteria have been met:

- (i) Responsible parties or other parties have implemented all appropriate response actions required;
- (ii) All appropriate response actions under CERCLA have been implemented, and no further action by responsible parties is appropriate; or
- (iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substances, pollutants, or contaminants remain at the site above levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years after the initiation of the response action at the site to ensure that the selected remedy remains protective of public health and the environment. Because hazardous substances are consolidated and capped on the Site, EPA will conduct five-year reviews of this remedy.

If new information becomes available which indicates a need for further action, EPA may initiate remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazardous Ranking System.

III. Deletion Procedures

The following procedures were used for the intended deletion of this site: (1) EPA has signified that the PRPs at the Site completed the early action specified in the 1996 Action Memorandum; (2) The Washington State Department of Ecology has concurred with the proposed deletion decision; (3) A notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) All relevant documents have been made available for public review in the local site information repositories.

Deletion of the Site from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist Agency management. As mentioned in Section II of this document, § 300.425(e)(3) of the NCP states that the

deletion of a site from the NPL does not preclude eligibility for future response actions.

For deletion of this site, EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision to delete. If necessary, the Agency will prepare a Responsiveness Summary to address any significant public comments received.

A deletion occurs when the Regional Administrator places a final action in the **Federal Register**. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by the Regional Office.

IV. Basis for Intended Site Deletion

The following site summary provides the Agency's rationale for the proposal to delete this site from the NPL.

A. Site Background

The Spokane Junkyard and Associated Properties Site is located in the Hillyard area, a light commercial and residential area in Spokane. The Site covers approximately 16 acres and includes a former junkyard, the former Spokane Metals facility, and two other parcels of land.

B. History

Spokane Metals operated a metal recycling facility at the Site from the 1940's until the early 1980's. The metal recycling operations, which included salvaging transformers and batteries, spread out onto the other properties at the Site contaminating them with PCBs and lead. The junkyard accumulated a wide variety of surplus materials including asbestos, paint waste, and various liquid and solid wastes. Poor storage practices of these materials also resulted in site contamination.

After an explosive fire on the junkyard property in July 1987, EPA conducted a Removal Action at the Site during 1988 and 1989. The most contaminated materials were removed, and the Site was fenced to prevent access. The Site was added to the NPL in May 1994.

An Engineering Evaluation/Cost Assessment (EE/CA) was completed in December 1995. In January 1996, EPA held a public comment period on the six Non-Time-Critical Removal Action (Removal Action) cleanup alternatives in the EE/CA. The design for the Removal Action was completed in the summer of 1996, and the Removal Action took place from September to November 1996. EPA approved the Construction Report documenting the

completion of the Removal Action on June 26, 1997.

C. Characterization of Risk

EPA conducted a risk assessment following the completion of the Removal Action. Concentrations of contaminants remaining in the soil at the Site were below State and Federal regulatory levels and risks for both current and future use were within acceptable levels as defined by the NCP.

One of the three criteria for deletion specifies that EPA may delete a site when all appropriate responses under CERCLA have been implemented, and no further action by responsible parties is appropriate. EPA with concurrence from Ecology, believes that this criterion for deletion has been met. Subsequently, EPA is proposing deletion of this site from the NPL. Documentation supporting this action is available from the docket.

Dated: July 25, 1997.

Charles E. Findley,

Acting Regional Administrator.

[FR Doc. 97-20583 Filed 8-6-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93-270; RM-8323, RM-8339, RM-8428, RM-8429, and RM-8430]

FM Broadcasting Services; Nashville, Cordele, Dawson, Montezuma, Hawkinsville, Cuthbert, and Leary, GA

AGENCY: Federal Communications Commission.

ACTION: Final rule; Correction.

SUMMARY: The Federal Communications Commission published in the **Federal Register** of July 16, 1997, a *Report and Order* in MM Docket No. 93-270, 62 FR 38031. Inadvertently, the **DATES** and **SUPPLEMENTARY INFORMATION** portions of the **Federal Register** summary were in error.

FOR FURTHER INFORMATION CONTACT: Bert Withers, (202) 418-2180.

SUPPLEMENTARY INFORMATION:

Correction

In the **Federal Register** issue of July 16, 1997, FR Doc. 97-18736, on page 38031 in the second column, correct the document as shown:

1. On page 38031, in the second column, line 44, correct the **DATES** portion to read: **DATES:** Effective September 2, 1997. The window period for filing applications for (1) Channel

251A at Dawson, Georgia; for (2) Channel 264A at Cuthbert, Georgia; and for (3) Channel 236A at Montezuma, Georgia will open on August 25, 1997, and close on September 25, 1997.

2. On page 38031, in the second column, line 52, correct the **SUPPLEMENTARY INFORMATION** portion to read: **SUPPLEMENTARY INFORMATION:** Channel 237C2 can be allotted at Nashville, Georgia in compliance with the Commission's minimum distance separation requirements at a site restricted to 6.3 kilometers (3.9 miles) northwest of the community at coordinates North Latitude 31-15-18 and West Longitude 83-17-08. RCI's petition was denied and DBC's petition and its later-filed counterproposal (RM-8430) were dismissed because the license for Station WAZE(FM) was canceled, creating a vacant allotment at Dawson, Georgia. A counterproposal jointly filed by Tri-County Broadcasting, Inc., licensee of Station WQSY(FM), Hawkinsville, Georgia and Montezuma Broadcasting, licensee of Station WLML(FM), Montezuma, Georgia (RM-8429), was also dismissed. Because of this latter dismissal, two more vacant allotments were created. Accordingly, filing windows are being opened for Dawson, Cuthbert, and Montezuma, Georgia. This is a summary of the Commission's *Report and Order*, MM Docket No. 93-270 adopted June 25, 1997 and released July 11, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in Commission's Reference Center (Room 239), 1919 M Street, N.W., Washington, DC 20554. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, 2100 M Street, N.W., Suite 140, Washington, DC 20037, (202) 857-3800.

Dated: July 29, 1997

Federal Communications Commission.

LaVera F. Marshall,

Acting Secretary.

[FR Doc. 97-20768 Filed 8-6-97; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 93-270; RM-8323; RM-8339, RM-8428, RM-8429, and RM-8430]

FM Broadcasting Services; Nashville, Cordele, Dawson, Montezuma, Hawkinsville, Cuthbert, and Leary, GA

AGENCY: Federal Communications Commission.

ACTION: Final rule; Withdrawal.

SUMMARY: The Chief, Allocations Branch, published in the **Federal Register** of July 17, 1997, a *Report and Order* in MM Docket No. 93-270, 62 FR 38218. This document was in error and is being withdrawn.

FOR FURTHER INFORMATION CONTACT: Bert Withers, (202) 418-2180.

Accordingly, under the authority of 47 U.S.C. 154, the final rule published on July 17, 1997 (62 FR 38218) is withdrawn.

Dated: July 29, 1997.

Federal Communications Commission.

LaVera F. Marshall,

Acting Secretary.

[FR Doc. 97-20769 Filed 8-6-97; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[I.D. 080197B]

Atlantic Tuna Fisheries; Fishery Closure

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS has determined that the 1997 Atlantic bluefin tuna (ABT) June-August period General category subquota will be attained by August 3, 1997. Therefore, the General category fishery for June-August will be closed effective at 11:30 p.m. on August 3, 1997. This action is being taken to prevent overharvest of the General category June-August period subquota. **DATES:** Effective 11:30 p.m. local time on August 3, 1997, through August 31, 1997.

FOR FURTHER INFORMATION CONTACT: Chris Rogers, 301-713-2347, or Mark Murray-Brown, 508-281-9260.